



INDUSTRY CIRCULAR

DEPARTMENT OF
THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

Washington, D.C. 20226

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MANUFACTURE AND USE OF PLASTIC CONTAINERS

Proprietors of Distilled Spirits Plants, Importers,
and Others Concerned:

Purpose. This circular is to advise industry members that an ATF Procedure regarding the possible use of plastic containers for bottling distilled spirits will be published soon in the ATF Bulletin. The procedure will read substantially as follows:

Section 1. PURPOSE.

This ATF Procedure sets forth the position of the Bureau of Alcohol, Tobacco and Firearms (ATF) with regard to the possible use of plastic containers for bottling distilled spirits and provides procedural guidelines for affected industries.

Sec. 2. BACKGROUND.

.01 The concept of utilizing plastic for manufacturing liquor bottles is not new. Several years ago an experimental packaging and marketing program was authorized for distilled spirits plant proprietors who proposed to bottle distilled spirits in polyvinyl chloride (PVC) plastic bottles. The experimental program was terminated, however, on May 11, 1973 (Industry Circular 73-10), as a result of a Food and Drug Administration (FDA) proposal that PVC resin not be used as a component of food packaging material where such material would come in contact with alcoholic foods. Since that time, there has been no authorization given to package distilled spirits in plastic containers of any kind.

.02 ATF is aware of a renewed interest on the part of the distilled spirits industry regarding the development and acceptability of a plastic liquor bottle. Over the past few years, plastics technology has progressed to the point that plastic barrier resins other than PVC may now be capable of meeting FDA requirements for alcoholic beverage packaging. It is conceivable, therefore, that rigid or semirigid containers manufactured

with one or more of these plastic resins may ultimately be considered feasible by the industry for packaging distilled spirits products.

Sec. 3. PRIMARY CONSIDERATIONS.

.01 No action will be taken by the Bureau with regard to industry applications for the use of plastic liquor bottles until the following conditions and considerations have been appropriately taken into account:

1. Bottle Specifications

(a) Bottles must be rigid or semirigid, i.e., having a molded shape or design which cannot be permanently altered by pressure without damage to the bottle.

(b) The plastic compound must be approved by the Food and Drug Administration for use in containers for packaging alcoholic beverage products for human consumption. Written verification from FDA will be required to assure that the plastic formulation meets all applicable FDA requirements.

(c) Bottles must be manufactured only in approved sizes.

2. Laboratory Tests

The ATF laboratory will conduct tests of plastic bottles regarding their suitability for packaging distilled spirits. These tests will take into consideration proof gain or loss, volume reduction, and other parameters.

3. Environmental Assessments

Under the National Environmental Policy Act of 1969, we are required to consider the environmental impacts of any major action taken by the Bureau. In addition to the Environmental Impact Statement which was issued regarding the proposed PVC liquor bottles, there will be a need for further studies into the environmental aspects of other plastics prior to our taking any action regarding their proposed use in the manufacture of liquor bottles. Environmental Impact Statements pertaining to liquor bottles proposed to

be manufactured with other plastic formulations may have to be prepared and issued before a decision can be reached.

Sec. 4. BUREAU PROCEDURE.

.01 Preliminary Testing Program. The Bureau has no objection to the experimental use of plastic liquor bottles for shelf testing, organoleptic research, or other applicable tests conducted under laboratory conditions. Such tests shall utilize samples withdrawn in accordance with 27 CFR Part 201 and may not involve distribution of distilled spirits packaged in plastic containers to consumers in any way. Test results may be provided to the Bureau to assist the ATF laboratory in its analysis of the plastic material.

.02 Application for Approval. Any authorized bottler or importer desirous of seeking permanent approval to package distilled spirits in plastic containers for distribution will be required to submit a formal letter application to the Director. Verification must be provided with this application that the plastic compound in question meets all applicable FDA requirements for alcoholic beverage packaging. Any extractive and toxicity data received in support of this verification will be subject to confirmation by the Food and Drug Administration. Applicants should also furnish any available environmental information regarding the plastic formulation to the Bureau as an aid in the preparation of any Environmental Assessments that may have to be prepared. This information may be submitted with, or at any time prior to, the formal application.

.03 Samples. Samples of plastic containers shall be made available to the Bureau before an application may be considered. Such samples may be submitted with the formal application or in conjunction with any preliminary testing program. The samples submitted should include at least six empty plastic bottles of each size to be used, two filled plastic bottles of each distilled spirits product and two filled glass bottles of each product for purposes of control and comparison.

.04 Final Action. We anticipate that satisfying the foregoing requirements will be a time-consuming task. Therefore, we feel that a final decision on any formal application could not be made in the near future.

Inquiries. Inquiries concerning this circular should refer to its number and be addressed to the Assistant Director, Regulatory Enforcement, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW., Washington, DC 20226.

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